

USDA Forest Service, Pacific Northwest Region  
Willamette National Forest  
Detroit Ranger District

## DECISION NOTICE / FINDING OF NO SIGNIFICANT IMPACT

for the

### Opal Creek Scenic Recreation Area Management Plan Forest Plan Amendment No. 45

Little North Santiam Watershed, T. 4E and 5E, R. 8S and 9S., WM

Marion County, Oregon

#### Decision

I have decided to implement **Alternative Six** of the Opal Creek Scenic Recreation Area (Opal Creek SRA) Management Plan Environmental Assessment (EA), with one additional Standard from **Alternative Three**. This decision establishes a Management Plan for the Opal Creek Scenic Recreation Area and amends the 1990 Willamette National Forest Land and Resource Management Plan. The Willamette National Forest Plan amendment establishes the Opal Creek Scenic Recreation Area as Management Area 2C, and includes goals, objectives, and standards & guidelines as described in this Decision Notice, Appendix A.

With this decision, the Forest Service will continue to fulfill the other requirements of the Opal Creek legislation (P.L. 104-333), such as preparing a transportation plan and an interpretive plan. A monitoring plan shall also be developed. These plans should be specific to and comply with the Selected Action, and will be prepared in consultation with the Opal Creek Advisory Council.

Alternative 6 modifies Alternative 2 (the Proposed Action) to specifically address the issue of allowing recreation use to increase in the Moderate Intensity Zone, and to allow activities that occurred on the date of enactment to continue at some level. The following describes the specifics of my decision and my rationale:

**Recreational Mineral Collection:** I have decided to allow recreational panning in all streams in the Opal Creek SRA that are not encumbered by unpatented mining claims. I will also allow sluicing and dredging in the High Use Zone in areas not encumbered by unpatented mining claims. All of these activities currently occur in the SRA, and there are several groups that participate in this recreational activity. Suction dredging with a 4-inch hose is regulated by the Department of Environmental Quality (DEQ), and is allowed through a permitting system for approximately six weeks each year. The timing of the use is regulated to avoid interfering with winter steelhead spawning. The DEQ regulations have resulted in no significant impacts to water quality or fish from suction dredging. Based on this I find no environmental reasons to prohibit these activities. Concerns were raised regarding the noise of the suction dredges; therefore, I have decided to limit the use of the

dredges to the High Intensity Zone where noise is to be expected. I do not believe that this will infringe upon the users of the suction dredges since many of them have stated that they cannot carry the suction dredges far from their vehicles. All mineral prospecting, exploration and development activities on unpatented mining claims, including the use of suction dredges, will be managed according to the terms of PL104-333 and Federal Regulations in 36 CFR Part 228.

**Discharging of firearms:** I have decided to prohibit the discharging of firearms in the Medium and High Use Zones from Memorial Day to Labor Day, and to prohibit target shooting with firearms year round in the Medium and High intensity zones. This departs from the Advisory Council's recommendation to completely prohibit the discharging of firearms year round in the Medium and High Use Zones. I concur that there is a safety problem associated with indiscriminate discharging of firearms; however, I believe that hunting is not the cause of the problem. Most of the reports of indiscriminate discharging of firearms occur during the busy summer months, outside of the hunting season. I believe that my decision will provide for public safety from indiscriminate firearm shooting during the summer season when most of the recreation use occurs. Hunting will be allowed to continue to occur during the hunting season, when use from other recreational activities is low. A special order citing these restrictions shall be prepared following the specifications of 36 CFR 261.51, subpart B, and these restrictions shall be visibly posted in the Opal Creek SRA.

**Bicycle Use:** I have decided to allow bicycle use on Forest Road 2209 beyond the gate, and on the Battle Axe Trail within the SRA. Within the Medium Intensity Zone, bicycles will not be allowed on the Mike Kopetski/Opal Creek trail. The Opal Creek Advisory Council had recommended that bicycles be prohibited on the Battle Axe Trail in addition to the Mike Kopetski/Opal Creek trail. The EA stated that prohibiting bicycle access on the Mike Kopetski/Opal Creek and Battle Axe trails could deter bicyclists from entering the Wilderness where bicycle riding is not allowed. However, the analysis did not provide any information to support the conclusion that bicyclists were indeed entering the Wilderness from these trails. Therefore, I believe that we should continue to allow bicycling on the Forest Road 2209 and the Battle Axe trails. Also, I recommend that a monitoring strategy be developed to detect any future trends of bicyclists entering the Wilderness. Most of the public submitting comments agreed that bicycles should be prohibited on the narrow, heavily used Mike Kopetski/Opal Creek trail.

**Stock Use:** I have decided to allow stock use within the High Intensity Zone on existing roads. This departs from the Opal Creek Advisory Council's recommendation to prohibit stock use in the High Intensity Zone, for the safety of the stock user on Forest Road 2209. However, there is a small contingency of users that ride their horses up Forest Road 2209 to the trailheads in the Medium Intensity Zone. Members of the public brought to our attention that prohibiting stock use in the High Intensity Zone would force people to haul their stock in trailers to the trailheads in the Medium Intensity Zones. The EA did not disclose a safety conflict between stock users and motorized vehicles; therefore, I believe we do not have sufficient justification to prohibit stock use on roads in the High Intensity Zone. Plus, I agree that it does not make sense to force local residents to load their stock into trailers and haul them to the trailheads when they are within riding distance.

**Fire Suppression Practices:** I have decided to implement the Minimal Impact Suppression Tactics (MIST) as described in Alternative 3, standard 3-1 in the Environmental Analysis. I agree with many of the comments submitted by the public – that suppression tactics should

have minimal impacts on the environment, and at the same time, we must be allowed to use the necessary means to protect private property and lives. MIST is routinely used in Wilderness areas, and wildland firefighters understand the MIST concept and are able to use MIST effectively. My decision **does not** include the standards that prohibit mechanized fire suppression equipment, use of fire retardants, and the felling of trees and snags.

**My decision does not include the following standards from Alternatives 6 and 3:**

**Limiting use in the Medium Intensity Zone:** I have decided **not to** limit use in the Medium Intensity Zone as recommended by the Advisory Council in Alternative 2. The Advisory Council was concerned about the impacts from the growing numbers of users to this area. I believe that restricting use at this time is not warranted. Instead, we should implement Standard MA-2c-05 of the selected action. This standard directs us to take other actions to minimize impacts from recreation use prior to limiting numbers the numbers of users. This standard does allow us to limit numbers, only after other actions have been taken and proved unsuccessful at achieving our desired condition. Impacts from use in the Medium Intensity Zone should be included in a monitoring strategy.

**Dust Abatement:** I have decided **not to** include the standard in Alternative 2, which calls for dust abatement on roads near recreation sites and private residences. While dust abatement may be desirable, there is not the economic support for this activity. Including the standard in my decision would give the impression that the Forest Service would be able to accomplish the activity, which is not the case.

**Mechanized fire suppression equipment, chemical fire retardants, and the felling of trees and snags:** I have decided not to include the two standards from Alternative 3 that call for (1) prohibiting mechanized fire suppression equipment and chemical fire retardants; and (2) restricting the felling of trees and snags during fire suppression activities. MIST strategies address using mechanized equipment, chemical fire retardants, and falling of trees and snags; therefore, I do not believe that adding these additional standards is necessary. I think that implementing MIST strategies without the additional standards will provide adequate protection of the resources.

**Purpose and Need for Action**

The purpose and need for action is discussed in the EA on pages 1-2. In summary, The Forest Service established the Opal Creek SRA on November 9, 1998 after fulfilling specific requirements in the Opal Creek legislation. As directed by the Opal Creek Act, the Forest Service has worked with an appointed advisory council, who serves as a consultant on matters relating to the management of the SRA, to develop the proposed Opal Creek SRA Management Plan.

The Opal Creek SRA was previously managed under the direction of both the 1994 Northwest Forest Plan as a Late Successional Reserve (LSR) and other special designations as defined within the 1990 Willamette National Forest Management Plan that were consistent with LSR objectives. The legislation changes management emphasis and provides additional protection through specific requirements and prohibitions, some inconsistent with previous management direction. This necessitates the need for redefining management direction to comply with the intent of Opal Creek Act.

## Other Alternatives Considered in Detail

**Alternative 1: No Action Alternative** – The No Action alternative proposes no change to the management of the area prior to the enactment of the Opal Creek Legislation. Management would continue as described in the Willamette National Forest Land and Resource Management Plan (FEIS 1990) as amended by the Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl, ROD (NWFP 1994).

My rationale for not selecting the No Action Alternative is based on the enactment of Public Law 104-333, otherwise known as the Omnibus Parks and Public Lands Management Act of 1996 (November 13, 1996). Section 1023 of this Act provides specific language to, and establishes, the Opal Creek Scenic Recreation Area. Prior to the enactment of the Opal Creek Legislation, this area was managed as a Late Successional Reserve (MA-16) as described in the ROD. Congress directed the USDA Forest Service to implement a management plan for the Opal Creek Scenic Recreation Area; therefore, this alternative was considered as a non-implementable alternative but served as a baseline from which to understand the changes proposed by the action alternatives.

**Alternative 2: Proposed Action** -- the Opal Creek Advisory Council developed the proposed action, as their recommended management plan for the Opal Creek SRA. I did not select Alternative 2 because it limited numbers or restricted types of recreation use without first attempting other methods to achieve the desired condition. These recreation uses were occurring in Opal Creek in 1996 on the date of enactment of the Opal Creek legislation (P.L. 104-333). There was not justification presented in the form of environmental damage to warrant limiting the numbers and the uses.

**Alternative 4: Allow Fire In Its Natural Role** -- Alternative 4 was developed to address the issue of allowing fire to take a natural role in the ecosystem. A few people submitting comments during the public scoping process raised the issue that natural processes, such as the natural fire regime, should be allowed to occur in the Opal Creek SRA. I did not select Alternative 4 because I do not believe that the conditions in the Opal Creek SRA would allow us to be successful at allowing fire to play a natural role. The areas where allowing fire to play a natural role has been successful are mostly in large, remote wilderness area. The Opal Creek SRA is relatively small in size, is adjacent to private land on two sides, has private lands with facilities within the boundaries, is near large urban area, and attracts many visitors. It would be difficult to protect the people, the private lands, and the natural features that the public value in the Opal Creek SRA if fires were allowed to burn as they would naturally.

**Alternative 5: Restrict Recreational Use and Activities to Protect the Environment, and Maintain a Pristine and Quiet Forest Setting** -- Alternative 5 was developed to address several issues submitted during the public scoping process. Comments were received from the public requesting further restrictions be placed on discharging of firearms, overnight camping, campfires, off-road vehicles, special forest products collection, access beyond the gate on Forest Service road 2209, and no new trails be developed. I did not select Alternative 5 because it restricts uses that occurred in 1996, on the date of enactment of the Opal Creek legislation (P.L. 104-333), and the analysis did not show that these restrictions are warranted to protect the resource values. I do agree that there are concerns

regarding many of these items; however, I believe that actions other than restricting use can resolve most of these concerns. Alternative 6 (the selected action) does allow for restricting uses if we have taken other actions and shown through monitoring that the actions are not minimizing the resource impacts.

**Alternative 7: Administrative Cutting of Trees** – Alternative 7 was developed to clarify the legislative language of cutting trees for administrative purposes. A few individuals submitted comments requesting that the legislative language be defined more narrowly to ensure that cutting of trees be avoided whenever possible. I did not select Alternative 7 because I believe that the legislation is very clear on when cutting of trees is allowed. The intent of the legislation is to cut trees only when absolutely necessary. I sense from the comments that these individuals do not trust the Forest Service to abide by the legislation, and that narrowing the definitions would take discretion away from agency personnel. I am not inclined to limit the discretion or professional judgment of agency personnel in determining whether a tree is a safety hazard or if a tree should be felled during fire suppression efforts. When determining if a tree should be cut for administrative purposes, Forest Service personnel will follow the established procedures for meeting NEPA requirement, public disclosure, and consulting with the Opal Creek Advisory Council.

## **Comment Period and Comments Received**

The availability of the environmental assessment and proposed action for this project was first published in the Eugene Register-Guard and Statesman Journal on December 26, 2001. Copies of the EA were mailed to parties who requested the document on December 24, 2001. Comments were accepted until January 25, 2002. A total of 78 comment letters were received resulting in 150 substantive comments. Substantive comments as defined by 36 CFR 215, and responses to those comments, are included in Appendix B of this document.

## **Consistency Findings Required by Other Laws & Regulations**

I used the following Laws, Regulations and Policies as a basis for my decision:

1. My decision is consistent with the regulations of the National Forest Management Act (NFMA) that requires specific findings to be made when preparing amendments to the Forest Plan. After reviewing my decision, I have determined that the selected action (*Alternative 6*) is consistent with the Willamette National Forest Land and Resource Management Plan (Forest Plan), as amended.

This finding is based on how the environmental analysis was prepared in accordance to Forest Plan Management Areas and Standards and Guidelines, as cited in the Opal Creek SRA EA and other supporting documents in the Project Record. This analysis describes how the selected action amends the direction in the Forest Plan.

2. My decision is consistent with the New Management Guidelines for Water Quality from the State of Oregon and the Clean Water Act. All management activities would be done in such a manner to comply with current standards for soil, water, and riparian management. This would then constitute a no effect for soil and water related resources (EA, page 3-23).

3. My decision is consistent with the National Historic Preservation Act. As part of the Opal Creek Legislation, an updated inventory of the cultural and historic resources within the SRA was reviewed and revised. All of the Standards and Guidelines are consistent with the protection of cultural resources in the SRA and do not change the existing standards and guidelines for heritage resources (EA, page 3-22). A cultural resource survey and determination of effects shall be conducted prior to implementing any ground disturbing project in the SRA. A heritage resource report has been completed and forwarded to the State Historic Preservation Officer (SHPO) in accordance with 36 CFR 800.5 (B).
4. My decision is consistent with the Endangered Species Act. The Detroit District wildlife and fisheries biologist completed a biological evaluation (BE) covering terrestrial and aquatic species for the Opal Creek SRA Management Plan (EA project record sections G and H). The findings were that the project would not have adverse affects on threatened, endangered, or sensitive species or their habitat. Sluicing and dredging activities are not expected to have any impacts to fish species or their habitat as long as activities occur within the guidelines established by ODF&W.

A Biological Assessment was completed on April 3, 2002 and submitted to the National Marine Fisheries Service (NMFS). The Biological Opinion was received on June 11, 2002 and concludes that the proposed Opal Creek SRA Management Area Plan is not likely to jeopardize steelhead or chinook salmon or adversely modify critical habitat for these species. Because this project is a Forest Plan Amendment and specific projects are not listed in the selected action, NMFS is deferring exemption of incidental take to subsequent individual or grouped projects to be completed through the NEPA process and that will require individual consultation.

5. The Opal Creek SRA Management Plan EA was completed in compliance with the National Environmental Policy Act (NEPA). The range of alternatives is adequate and sufficiently responds to the issues raised during public scoping. The analysis was sufficient to provide the information to make an informed decision. Documentation of the analysis process is located in the Opal Creek SRA EA project record and available from the Detroit Ranger District office upon request.
6. My decision is consistent with the requirements as described in the Opal Creek Legislation (P.L. 104-333). Many of the standards are derived from the legislative language. The selected alternative provides for a broad range of land uses, including recreation, harvesting of nontraditional forest products, and educational and research opportunities.
7. My decision is consistent with the Federal Advisory Committee Act (FACA). The Opal Creek Advisory Council (established in June 2000), was legislated to provide advice on the management of the Opal Creek SRA. The Forest Service consulted with the Advisory Council on the development of the proposed management plan. The Advisory Council provided their recommendations in the form of a Proposed Management Plan for the Opal Creek SRA, which was the Proposed Action in the NEPA process. During the NEPA process the Forest Service kept the Advisory Council informed on the process, and Council members were encouraged submitted comments during public scoping and the EA review and comment period as individual members of the public. I did not consult with the Advisory Council on arriving at a final decision on the management plan.

## **Finding of No Significant Impact (FONSI)**

I have reviewed the Opal Creek SRA Management Plan environmental assessment. Based on the site specific analysis documented in the environmental assessment, I have determined that this is not a major federal action and it will have no significant effects on the quality of the human environment; therefore, an Environmental Impact Statement will not be prepared.

In making this determination, I have considered beneficial and adverse direct, indirect, and cumulative environmental impacts discussed in the Environmental Assessment, which has disclosed these effects within the appropriate context and intensity. This determination was made considering the following rationale:

### **Context**

The Opal Creek Scenic Recreation Area Management Plan implements and amends the Willamette Forest Plan. This plan proposes a non-significant Forest Plan amendment to designate new standards and guidelines specific to the Opal Creek Scenic Recreation Area located within the Detroit Ranger District of the Willamette National Forest. These standards do not apply to any other areas on the Forest or in the Region.

Opal Creek has a unique history of political and environmental involvement. Since 1982, many legislative efforts were made to resolve the conflicts that centered on how Opal Creek's resources should be managed. During this period, Opal Creek gained regional and national notoriety as a symbolic icon regarding the debate of preserving Northwest old-growth forests. However, time and time again, these efforts did not succeed in offering the protection many groups sought. Final resolution culminated on November 13, 1996 when the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333 - also referred to as the Opal Creek Act) was passed declaring special protection by designating three distinct management areas: the Opal Creek Scenic Recreation Area, the Opal Creek Wilderness, and Elkhorn Creek as a Wild and Scenic River.

The Opal Creek SRA was previously managed under the direction of both the 1994 Northwest Forest Plan as a Late Successional Reserve (LSR) and other special designations as defined within the 1990 Willamette National Forest Management Plan that were consistent with LSR objectives. The legislation changes management emphasis and provides additional protection through specific requirements and prohibitions, some inconsistent with previous management direction.

The standards in the selected action provide management direction for the protection of resources in the Opal Creek SRA, while maintaining a balance with users of the area.

## **Intensity**

- 1. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on a balance the effects will be beneficial.**

The implementation of the selected action will have a combination of beneficial and adverse impacts to resources and individuals that use the Opal Creek SRA, but individually or cumulatively they will not be significant.

Recreation use in the Opal Creek SRA will continue to be high, specifically in the Medium and High Use Zones during the summer months. In addition, as the population increases, recreation use of these areas will likely increase at about the same rate. This could result in popular areas getting more crowded, become noisier, and cause impacts to resources (EA, page 3-7). However, standards in the selected action are included that minimize impacts if they do not meet the desired condition or comply with Forest Plan standards.

Some specific user groups may be adversely impacted by the standards in the selected action. By prohibiting target shooting, this user group would be displaced to areas outside the Opal Creek SRA. However, high visitor use areas would be safer when free from indiscriminate target shooting, and provides for a quieter forest setting. Resource and property damage would likely be less frequent (EA, page 3-16).

By applying MIST guidelines during fire suppression this creates the least damaging impacts from fire suppression methods to SRA resources. There is a risk in employing MIST standards however; should a fire re-burn it could escape minimum hand constructed fire lines or wet lines that have dried out. Fire suppression efforts would then need to be repeated. This may result in an uncontrolled fire burning additional acres and the possibility of a stand replacing fires (EA, page 3-2).

None of the standards in the selected action, beneficial or adverse, were considered as creating significant impacts to resources or the public.

- 2. The degree to which the proposed action affects public health or safety.**

This project does not adversely affect public health and safety (EA, page 3-22). The management plan includes standards that provide additional safety practices including evacuation plans and posting speed limits on roads. The selected action allows for increased law enforcement patrols, provided there is adequate funding. The selected action also prohibits target shooting within the Medium and High Use Zones that will make the area safer for the public and reduce damage to resources.



**3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas.**

The intent of the Opal Creek Legislation (P.L. 104-333) is to protect the unique characteristics of the area. The SRA Management plan is in compliance with and carries out the direction of P.L 104-333.

The cultural resource inventory was completed for the Opal Creek SRA and no significant heritage resources would be affected by the selected action (EA, page 3-22). During public scoping, the issue of significant cultural resources located in several abandoned underground mines was raised as a concern. This issue was determined to be outside the scope of this analysis and would be addressed with more site-specific analysis during the mine closure project implementation (EA, page 1-14). Many of the mines are proposed to be closed with bat friendly gates that would still allow for future interpretation of the underground workings.

The Opal Creek SRA has no farm land or range land and therefore would have no effect on these resources (EA, page 3-25).

The Elkhorn Wild and Scenic River is within the Opal Creek SRA boundary. No effects to the Wild and Scenic River designation are anticipated (EA, page 3-22).

The Opal Creek Wilderness is located adjacent to the Opal Creek SRA. Allowing bicycles on the Battle Axe trail may encourage bicyclists to illegally enter the Wilderness and may affect the experiences of visitors to the Wilderness (EA, page 3-22). However, only 3% of the users in this area are bicyclists (EA, page 3-14); therefore, I do not consider this to be a significant effect. Also, strategies will be implemented to determine if there are increasing trends of bicyclists entering the Wilderness from this trail.

There is no irreversible and/or irretrievable use of the soils or geologic resources anticipated beyond that which has been previously identified in the Willamette National Forest Land and Resource Management Plan, as amended. (EA, page 3-35).

**4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.**

The effects of my decision are not likely to be highly controversial by the scientific community. Comments have been received from Oregon Department of Fish and Wildlife, Oregon Parks and Recreation Department, and we have consulted with State Historic Preservation Office, and Fisheries biologists from National Marine Fisheries Service. All concur that the selected action will have no significant effects to the environment.

**5. The degree to which the possible effects on the human environment is highly uncertain or involves unknown risks.**

The selected action does not involve unique/unknown risks. The information available in the EA is adequate to make an informed decision. While recreation use numbers occurring on the date of enactment are not known, this does not influence the outcome of the analysis for the environmental effects.

**6. The degree to which the action may establish a precedent for future actions with significant effects or represent a decision of principle about a future consideration.**

This decision does not set precedent for future actions that may have a significant effect. The decision establishes standards and guidelines which provide direction for implementing future actions in the Opal Creek SRA. The standards and guidelines were developed to minimize the effects of future actions. This project will not affect outfitter and guide activities currently authorized, or future special use authorizations (EA page 2-11).

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.**

The selected actions are not expected to create significantly cumulative effects because no ground disturbing activities are proposed. As discussed previously, the intent of the Opal Creek Legislation (P.L. 104-333) was to protect the unique characteristics of the area and the standards developed in the selected action meet this intent.

**8. The degree to which the action may adversely affect districts, sites, travelways, structures or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.**

All of the standards as described in the selected action are consistent with the protection of Heritage Resources and should have no effects on the Opal Creek SRA (EA, page 3-22). No ground disturbing activities are proposed with the selected action. We do know that numerous sites (both historic and prehistoric) exist within the High Intensity Zone, however, a substantial number of acres have never been surveyed within the Scenic Recreation Area. Thus, our knowledge of the number and extent of Heritage Properties throughout the SRA is unknown.

**9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.**

A Biological Evaluation (BE) for the EA was completed (located in the Project Record, sections G and H) and addresses the effects on Threatened and Endangered wildlife and fish species. The selected action contains no ground disturbing activities, therefore this action will not significantly impact federally listed species or their habitat (EA, pages 3-18 to 3-19).

With the implementation of the management plan, there is potential for possible long-term mature and old growth ecosystem maintenance deficiencies as a result of the area no longer being managed as a late successional reserve.

A Biological Assessment was completed for the EA and submitted to the National Marine Fisheries Service (NMFS). The Biological Opinion, prepared by NMFS, concluded that the proposed Opal Creek SRA Management Plan is not likely to jeopardize steelhead or chinook salmon or adversely modify critical habitat for these species. Because this project is a Forest Plan Amendment and specific projects are not listed in the selected action, NMFS is deferring exemption of incidental take to subsequent individual or grouped projects to be completed through the NEPA process and that will require individual consultation.

**10. Whether or not the action threatens a violation of Federal, State, or local law protection of the environment.**

This action complies with relevant federal, state and local laws, regulations and requirements designed for the protection of the environment. The selected alternative will meet or exceed requirements for State water and air quality.

## Implementation Date

If no appeal is filed, the USDA Forest Service will implement the Opal Creek SRA Management Plan five days after the close of the forty-five day appeal period, which starts on the date the legal notice announcing the decision appears in the Eugene Register-Guard. If an appeal is filed, implementation of this decision will occur 15 days following the date of the appeal disposition.

## Appeal Rights

This decision is subject to appeal by people or organizations who have provided comments or otherwise expressed interest in this selected alternative pursuant to 36 CFR Chapter 2, Part 217. Any written appeal of this decision must be fully consistent with 36 CFR 217.9 and must include the reason for an appeal. A written appeal, in duplicate, must be postmarked and submitted to the following address within 45 days of the date that the legal public notice of this decision appears in the Eugene Register-Guard newspaper.

Appeal Deciding Officer  
Regional Forester  
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### For further information about this project, contact:

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Date: 06-26-2002

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